

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 24-CV-80281-MIDDLEBROOKS

ROMEO CHICCO, *individually and on
behalf of all others similarly situated,*

Plaintiff,

v.

GENERAL MOTORS, LLC, ONSTAR, LLC,
LEXISNEXIS RISK SOLUTIONS, INC.,

Defendants.

ORDER DENYING DEFENDANT'S MOTION TO STAY

THIS CAUSE comes before the Court on Defendants' Motion to Stay Pending JPML Ruling, filed April 15, 2024. (DE 17). The Motion is unopposed.

Plaintiff initiated this action on March 13, 2024. (DE 1). The Complaint asserts a putative class action against Defendants under the Fair Credit Reporting Act for erroneous reports of derogatory and negative driving information made without the Plaintiff's knowing consent. Plaintiff alleges that such reports have negatively impacted his ability to obtain insurance. Several putative class actions have been filed around the country regarding the same issue.

On April 1, 2024, the Defendants filed Motions for Extensions of Time (DE 10; DE 11), requesting the Court extend the deadline for Defendants to respond to the Complaint from April 5, 2024, until May 6, 2024. I granted the Motions in part, extending the deadline until April 19, 2024. (DE 12). Thereafter, the Parties informed the Court of at least nine other putative class actions that have been filed against the Defendants around the country regarding the same substantive issues. (DE 14; DE 18). Defendants now move for an indefinite stay of the deadlines

in this case until the Judicial Panel on Multidistrict Litigation makes a decision on a pending motion to transfer and centralize all the related cases, which has been made in the Central District of California pursuant to 28 U.S.C. § 1407. The Parties cite that the hearing will occur on May 30, 2024, and they expect a consolidation decision “shortly thereafter.” (DE 17 at 3).

I decline to stay this case until the Judicial Panel on Multidistrict Litigation reaches a decision on transfer and consolidation. Granting a stay would indefinitely prolong this proceeding, as there is no guarantee how or when the panel will rule. Thus, I will deny the Motion.

Accordingly, it is **ORDERED AND ADJUDGED** that:

1. The Parties’ Motion to Stay Pending JPML Ruling (DE 17) is **DENIED**.
2. In light of this decision, I will grant Defendants a **brief** extension of the April 19, 2024, deadline to respond to the Complaint. **Defendants shall respond to Plaintiff’s Complaint by April 22, 2024.**

SIGNED in Chambers in West Palm Beach, Florida, this 18th day of April, 2024.



Donald M. Middlebrooks
United States District Judge

cc: Counsel of Record